

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 24

September 29, 2000

**SUBJECT: REQUESTS FOR LEGAL OPINIONS & GENERAL LEGAL
INFORMATION - REVISED**

PURPOSE: The Department Manual has established procedures for employees requesting an official legal opinion from the Office of the City Attorney. These procedures, however, have been amended to reflect the recent activation of Risk Management Division (RMD), and standardize the process for requesting legal information and official City Attorney opinions.

PROCEDURE:

I. EMPLOYEE'S RESPONSIBILITY.

- A. Requesting General Legal Information.** Department personnel desiring information of a general legal nature may telephonically contact RMD to request the information. During off-hours, personnel desiring this information shall seek the advice of a supervisor. In cases when a Department supervisor is unable to determine an appropriate course of action, he/she may contact RMD through the Department Command Post.
- B. Requesting Formal Legal Opinions.** Risk Management Division shall process all requests by Department entities for legal opinions from the Office of the City Attorney. Department entities requiring opinions shall forward their request to the Commanding Officer, RMD, through their bureau commanding officer or equivalent for review and approval.

Exception: Entities conducting staff research or preparing directives on behalf of the Office of the Chief of Police may submit requests for formal legal opinions directly to RMD.

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II. BUREAU COMMANDING OFFICER'S RESPONSIBILITY. Bureau commanding officers, or their equivalent, shall review the request for appropriateness and, upon approval, forward the request to the Commanding Officer, RMD.

III. RISK MANAGEMENT DIVISION RESPONSIBILITY. The Commanding Officer, RMD, shall:

- * Maintain a repository of previous City Attorney opinions;
- * Review the request and determine if a City Attorney opinion is appropriate or required;
- * When necessary, research and review previous City Attorney opinions on the issue;
- * Forward the request to the Office of the City Attorney for the opinion; and,
- * Establish and designate a RMD employee to respond to emergency requests for legal information from Department employees through the Department Command Post during off-hours.

AMENDMENTS: This Order amends Sections 3/218.30 and 3/218.60 of the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, RMD, shall monitor compliance with this Order in accordance with Department Manual Section 0/080.30.



BERNARD C. PARKS
Chief of Police

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